

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA**

---

INNOVATIVE FOOD HOLDINGS, INC.;  
INNOVATIVE GOURMET LLC d/b/a  
IGOURMET;  
FOOD INNOVATIONS, INC.; and  
EVAN J. GRIFFITHS

Plaintiff,

v.

HANOVER INSURANCE COMPANY and  
ALLMERICA FINANCIAL BENEFIT  
INSURANCE COMPANY

Defendants.

---

No. 2:21-cv-1092

**JURY TRIAL DEMANDED**

**JOINT STIPULATION OF DISMISSAL**

**WHEREAS**, Plaintiffs Innovative Food Holdings, Inc. (“IVFH”), Innovative Gourmet LLC d/b/a iGourmet (“Innovative Gourmet”), Food Innovations, Inc. (“Food Innovations”), and Evan J. Griffiths (collectively, the “Policyholders”), and Defendants Hanover Insurance Company and Allmerica Financial Benefit Insurance Company agree that the Policyholders may voluntarily dismiss the above-captioned action, without prejudice, pursuant to Fed. R. Civ. P. 41(a)(1);

**IT IS HEREBY AGREED AND STIPULATED BY THE PARTIES THAT:**

1. Policyholders shall voluntarily dismiss the above-captioned action.
2. The dismissal of these allegations and claims is without prejudice to any rights, claims or defenses that the parties may have.
3. The parties agree to toll all applicable limitation periods, including state and federal statutes of limitations and all other time-related defenses for the action, pending resolution of the defense of the underlying litigation identified in the Policyholders’ Complaint.
3. The Policyholders may refile the above-captioned action again, if necessary.

REED SMITH LLP

By: /s/ John N. Ellison  
John N. Ellison (PA 51098)  
Luke E. Debevec (PA 92860)  
Three Logan Square  
1717 Arch Street, Suite 3100  
Philadelphia, PA 19103  
T: (215) 851-8100  
F: (215) 851-1420  
jellison@reedsmith.com  
ldebevec@reedsmith.com

*Counsel for Plaintiffs*

HOUSTON HARBAUGH, P.C.

By: /s/ Henry M. Sneath  
Henry M. Sneath (PA 40559)  
Christopher M. Jacobs (PA 89092)  
Three Gateway Center  
401 Liberty Avenue, 22<sup>nd</sup> Floor  
Pittsburgh, PA 15222  
sneathhm@hh-law.com  
jacobscm@hh-law.com

*Counsel for Defendants*